

Exhibit A

Jacques deLisle

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EMPLOYMENT:

Stephen Cozen Professor, 2006-, Professor 1999- 2006, Assistant Professor, 1994-99, University of Pennsylvania Law School
Faculty of the Center for East Asian Studies, University of Pennsylvania, 1996-

Research Interests: Law and politics of China, Hong Kong and Taiwan, economic reform and law in China, enterprise / company law reform in China, China and international law, international status of Taiwan, comparative and international law

Courses: Chinese Law; Law and Economic Reform in Contemporary China (seminar); China and International Law (seminar); Comparative Law: China; Comparative Law: East Asia; Public International Law; Separation of Powers; Torts
International Law and International Relations (Lauder M.B.A.-M.A. Program, University of Pennsylvania)
China in an Era of Transition, Reform and Globalization (Organizational Dynamics Program, University of Pennsylvania)
The Government and Politics of the PRC; External Politics of the PRC (at Universidad de Aveiro, Portugal)
China and International Law (National University of Singapore)
Common Law Civil Obligations; Separation of Powers and U.S. Foreign Relations Law (Waseda University, Tokyo)

Director, Asia Program, Foreign Policy Research Institute, 2002-

Attorney-Adviser, Office of Legal Counsel, United States Department of Justice, 1992-94

Law Clerk to Stephen G. Breyer, United States Court of Appeals for the First Circuit, 1991-92

EDUCATION:

Harvard Law School, J.D. *magna cum laude*, 1990

Harvard Graduate School of Arts and Sciences, Department of Government, Ph.D. program (ABD)

Princeton University, A.B. *summa cum laude*, Phi Beta Kappa, 1982
Major: Woodrow Wilson School of Public and International Affairs

PUBLICATIONS:

'One World, Different Dreams': Assessing the Struggle to Define the Beijing Olympics in a conference volume on the Beijing Olympics (Daniel Dayan and Monroe E. Price, eds., forthcoming 2008)

Foreign Policy and Constitutional Change in China (with Cheng Li, forthcoming 2008, in ORBIS)

Legalization without Democratization in China Under Hu Jintao (Brookings conference volume on China After the 17th Party Congress, forthcoming 2007)

Traps, Gaps and Law in China's Transition (Oxford Foundation for Law, Justice and Society, Conference volume on "Is China's Transition Trapped?" forthcoming 2007)

International Contexts' (Shifting) Effect on Taiwan's Democratization and the (Limited) Implications for Democratic Prospects in China in a conference volume on Taiwan's Democratization and its Implications for China (Larry Diamond and Bruce Gilley, eds., forthcoming 2007)

Legislating the Cross-Strait Status Quo?: China's Anti-Secession Law, Taiwan's Constitutional Reform, and the U.S.'s Taiwan Relations Act in POWER AND PRINCIPLE: US, CHINA AND TAIWAN TRIANGULAR RELATIONS (Peter Chow, ed. 2007)

Eroding, Not Attacking, the "One China Policy": Participating in International Regimes without State Membership, Choosing Symbolic Struggles with Substantive Content, and Getting Help from U.S. Law in BEYOND THE ONE CHINA POLICY (John Tkacik, Jr., ed. 2007)

Free Trade Areas in East Asia: Legal and Economic Liberalism and the Interest-Based Politics of U.S., PRC and Taiwan Participation in FREE TRADE AND EAST ASIA (Jacques deLisle, ed., Foreign Policy Research Institute, 2007)

Pressing Engagement: Uneven Human Rights Progress in China, Modest Successes of American Policy, and the Absence of Better Options (Carnegie Endowment for International Peace, "China Debates" series, 2007)

Navigating a Dangerous Strait: Assessing Responsibility, Defining Interests and Prescribing Tactics in Relations Among Taiwan, China and the International Community TAIWAN JOURNAL OF DEMOCRACY (review essay 2006)

China under Hu Jintao: Introduction (co-author) and *China and the WTO: Evolving Agendas of*

Economic Openness, Domestic Reform and Challenges of the Post-Accession Era in CHINA UNDER HU JINTAO: OPPORTUNITIES, DANGERS AND DILEMMAS, 1-25, 229-292 (co-edited with T.J. Cheng and Deborah Brown, 2006)

Atypical Pneumonia and Ambivalent Law and Politics: SARS and the Response to SARS in China 77 TEMPLE LAW REVIEW 193-245 (2004)

Reforming / Replacing the ROC Constitution: Implications for Taiwan's State(-like) Status and U.S. Policy, WOODROW WILSON INTERNATIONAL CENTER ASIA PROGRAM SPECIAL REPORT 12-18 (November 2004)

Democratization and Its Limits in Greater China, ORBIS, vol. 48, no. 2, 193-203 (2004) (conference volume)

The Common Law of Causation in Tort and Questions of Policy and Institutions in the Development of Chinese Tort Law, FAZHI CANKAO [LEGAL MATERIALS JOURNAL] 2004, no. 5, Democracy and the Legal System Press, under the National People's Congress, People's Republic of China) 122-124 (in Chinese 2004)

SARS and the Pathologies of Globalization and Transition in Greater China, ORBIS, vol. 47, no. 4, 587-604 (2003) (conference volume on Asia's Shifting Strategic Landscape)

Human Rights, Civil Wrongs and International Politics: A 'Sinical' Look at the Use of U.S. Litigation to Address Abuses Abroad, 52 DEPAUL LAW REVIEW 473-561 (2003) (conference volume on American Civil Justice in a Global Context)

Chasing the God of Wealth while Evading the Goddess of Democracy: Development, Democracy and Law in Reform-Era China, in DEVELOPMENT AND DEMOCRACY: NEW PERSPECTIVES ON AN OLD DEBATE 252-293 (Sunder Ramaswamy & Jeffrey W. Cason, eds., 2003)

The China-Taiwan Relationship: Law=s Spectral Answers to the Cross-Strait Sovereignty Question, ORBIS, vol. 46, no. 4, 733-752 (2002) (conference volume on sovereignty and cross-Strait relations)

The Roles of Law in the War on Terrorism, ORBIS, vol. 46, no. 2, 301-320 (2002)

Humanitarian Intervention: Legality, Morality, and the Good Samaritan, ORBIS, vol. 45, no. 3, 535-556 (2001)

The Rule of Law and the Roles of Law in China (review essay of *AThe Limits of the Rule of Law in China*) in SINO-PLATONIC PAPERS, Reviews IX, October 2000, 1-21

China=s Approach to International Law: A Historical Perspective, 94 AMERICAN SOCIETY OF INTERNATIONAL LAW PROCEEDINGS 267-275 (2000)

The Chinese Puzzle of Taiwan=s Status, ORBIS, vol. 44, no. 1, 35-62 (2000)

The P.R.C.=s Population and Family Planning Policies: Legal Issues and Social Consequences in the Mainland and the United States in LIANG-AN SHE-HUI PIEN-CH=IEN-CHUNG CHIA-T=ING YÜ-CH=I HSIANG-KUAN WEN-T=I HSÜEH-SHU YEN-CHIU T=AN-HUI HUI-I LUN-WEN-CHI 239-260 (Fu-jen Ta-hsüeh She-hui Wen-hua Yen-chiu Chung-hsin, 1999)

The Taiwan Question, SINO-AMERICAN RELATIONS, Winter 1999, 22-28

Lex Americana?: United States Legal Assistance, American Legal Models, and Legal Change in the Post-Communist World and Beyond, 20 UNIVERSITY OF PENNSYLVANIA JOURNAL OF INTERNATIONAL ECONOMIC LAW 179-308 (1999)

The East Asian Debate on International Human Rights: Domestic Approaches and Attitudes in the Absence of Regional Commitments, 92 AMERICAN SOCIETY OF INTERNATIONAL LAW PROCEEDINGS 64-66 (1998) (co-author)

Sovereignty Resumed: China=s Conception of Law for Hong Kong, and its Implications for the SAR and US-PRC Relations, HARVARD ASIA QUARTERLY 21-27 (Summer 1998)

Political Alchemy, the Long Transition and Law=s Promised Empire: How July 1, 1997 Matters -- and Doesn=t Matter -- in Hong Kong=s Return to China, 18 UNIVERSITY OF PENNSYLVANIA JOURNAL OF INTERNATIONAL ECONOMIC LAW 69-131 (1997)(symposium issue on Hong Kong=s transition from British colony to Chinese Special Administrative Region)

Hong Kong=s Endgame and the Rule of Law (I): The Struggle over Institutions and Values in the Transition to Chinese Rule, 18 UNIVERSITY OF PENNSYLVANIA JOURNAL OF INTERNATIONAL ECONOMIC LAW 195-254 (1997) (with Kevin P. Lane)

Hong Kong=s Endgame and the Rule of Law (II): The Battle over >the People= and the Business Community in the Transition to Chinese Rule, 18 UNIVERSITY OF PENNSYLVANIA JOURNAL OF INTERNATIONAL ECONOMIC LAW 811-1047 (1997) (with Kevin P. Lane)

Cooking the Rice without Cooking the Goose: The Rule of Law, the Battle over Business, and the Quest for Prosperity in Hong Kong After 1997 (with Kevin P. Lane) in HONG KONG UNDER CHINESE RULE: THE ECONOMIC AND POLITICAL IMPLICATIONS OF REVERSION 31-70 (Warren I. Cohen & Zhao Li, eds., Cambridge University Press, 1997)

Of Chinese Walls, Battering Rams and Building Permits: Five Lessons about International Economic Law from Sino-U.S. Trade and Investment Relations, 17 UNIVERSITY OF PENNSYLVANIA JOURNAL OF INTERNATIONAL ECONOMIC LAW 513-532 (1996)

Disquiet on the Eastern Front: Liberal Agendas, Domestic Legal Orders, and the Role of International Law after the Cold War and amid Resurgent Cultural Identities, 18 FORDHAM INTERNATIONAL LAW JOURNAL 1725-1741 (1995) (symposium issue, in honor of Jimmy Carter, on the roles of international law in the twenty-first century)

Massacre in Beijing: The Events of 3-4 June and their Aftermath (Ad Hoc Study Group on Human Rights in China, and International League for Human Rights, 1989) (co-author)

China=s Foreign Economic Contract Law and Technology Import Regulations, 27 HARVARD INTERNATIONAL LAW JOURNAL 275-283 (1986)

OTHER WRITINGS AND COMMENTARY:

Op-eds/commentary/essays for newspapers and other media, including *The Asian Wall Street Journal*, *The Philadelphia Inquirer*, *Foreign Policy Research Institute E-notes*, *China Online*, *Asia Times*, *Free China Journal*, and *The Penn Law Journal* (titles include:
 Rising China—A Conference Reprt
 Into Africa: China's Quest for Resources and Influence
 Free Trade Areas: Legal Aspects and the Politics of U.S., PRC and Taiwan Participation
 Free Trade Areas in East Asia: A Symposium Report
 Constitutional Change and Foreign Policy in East Asia: A Conference Report
 Taiwan's Democracy and Lessons from Yet Another Election;
 Party Politics and Foreign Policy in East Asia: A Conference Report;
 China after Jiang: Two Strengths and Five Unresolved Issues;
 The Aftermath of Taiwan's Presidential Election: A Symposium Report;
 Fifteen Years After Tiananmen: Persistence, Memory and Change in China;
 Democracy and Its Limits in Greater China: A Conference Report;
 Asia=s Shifting Strategic Landscape: A Conference Report;
 Illegal?: Yes; Lawless? Not So Fast: The U.S., International Law and Iraq
 Sinical Voters?: Elections in Greater China;
 Bless and Keep the S.A.R. . . . Far Away From Us:
 Taiwan=s Hong Kong Phobia, Five Years On;
 Humanitarian Intervention: The International Law and Morality of Force and Rescue;
 Varieties of Sovereignty and Cross-Strait Relations: A Conference Report;
 Politics, Law and Resentment on the China Coast;
 U.S. Policy Toward Taiwan: Sustaining the Status Quo;
 The [2000 Presidential] Election, Sausages and Foreign Policy;
 Foreign Affairs, Federalism and Well-Meaning-Mischief:
 The Constitutional Infirmity of Massachusetts=s Burma Law;
 A Progression of Reform [for Law in China]: Not Revolution But Evolution;
 Fifty Years After the Revolution [in China];
 Who=s Afraid of Falun Gong?;
 Appeal of Falun Gong Puts Strain on Beijing;
 The Taiwan Question;
 Chinese Law: A Middle Path for the Middle Kingdom;

Impeachment: It=s Political Not Judicial;
Hong Kong=s Legal Crisis.

Commentary/interviews for television, radio, newspapers and magazines in the United States,
East Asia and Europe

PRESENTATIONS:

Academic Papers:

Judicial and NPC Standing Committee Interpretations of the Basic Law: Differing Conceptions of
Law and Constitutional Development in Post-Reversion Hong Kong (City University of
Hong Kong Faculty of Law Conference on 10th Anniversary of the Basic Law, Hong Kong,
June 2007)

Legalization without Democratization in China Under Hu Jintao (Brookings Institution conference
on China After the 17th Party Congress, Washington, 2007)

Traps, Gaps and Law in China's Transition (Oxford Foundation for Law, Justice and Society,
Conference on "Is China's Transition Trapped?" Oxford, 2007; National University of
Singapore Faculty of Law, 2007)

Pressing Engagement: Uneven Human Rights Progress in China, Modest Successes of American
Policy, and the Absence of Better Options (Carnegie Endowment for International Peace,
Reframing China Policy Debate 4: U.S. Engagement and Human Rights in China,
Washington, 2007)

'One World, Different Dreams': Assessing the Struggle to Define the Beijing Olympics
(Annenberg School conference on the Beijing Olympics, Philadelphia, 2006)

Free Trade Areas in East Asia: Legal and Economic Liberalism and the Interest-Based Politics of
U.S., PRC and Taiwan Participation (FPRI Symposium on Free Trade Areas in East Asia,
Philadelphia, 2006)

Economic Interests, Political Agendas and Legal Issues in China's Pursuit of Energy Abroad (FPRI
Conference on China's Rise, Philadelphia, 2007)

The Role of Law in China's Pursuit of Economic Development, International Engagement and
Resilient Authoritarianism, and Comparisons to the East Asian Model (International
Forum of Sinology, Lisbon, 2007)

China's Energy Security Dilemmas: Implications for International Relations and U.S. Policy and
Law (Trilateral US-China-Japan Conference, Shanghai, 2006)

International Contexts' (Shifting) Effect on Taiwan's Democratization and the (Limited)

Implications for Democratic Prospects in China (Conference on Democratization in Greater China: Center on Democracy, Development and the Rule of Law Stanford University, 2006)

Law is Not a Gentleman and Journeys of 10,000 Li: Long-Standing Instrumentalism, Looming Obstacles and the Rule of Law in China (Oxford University / Washington University Conference on Promoting U.S.-China Business Relations, St. Louis, 2006)

Reform and Development of the Capital System for China's Enterprises: Functions, Content and Context (China and the World: International Summit on China's Company Law Reform, China University of Political Science and Law / National University of Public Administration, Beijing, 2006)

Courts, Judicial Review and Taiwan's Democratic Consolidation (Brookings Institution, Center for Strategic and International Studies, Institute for National Policy Research (Taiwan) Conference on Taiwan's Democratic Consolidation, Washington, 2006)

Foreign Policy and Constitutional Change in China (with Cheng Li, Foreign Policy Research Institute Conference on Constitutional Change and Foreign Policy in East Asia, Philadelphia, 2006)

Taiwan's Constitutional Reform: Implications for Cross-Strait Relations and International Status (with Vincent Wang, Foreign Policy Research Institute Conference on Constitutional Change and Foreign Policy in East Asia, Philadelphia, 2006)

China's Ambitious and Ambivalent Quest for Better Corporate Governance (Waseda University Law School / Penn Symposium on Corporate Governance, Tokyo 2006)

Stakeholding, Sustaining, and Adjusting in International / Regional Orders: Challenges and Responsibilities for China, the U.S. and Japan (Trilateral US-China-Japan Conference in Philadelphia / Charlottesville, 2006)

Surrounding, Not Attacking, the One China Policy: Participating in International Regimes without State Membership, Choosing Symbolic Struggles with Substantive Content, and Getting Help from U.S. Law (Conference on "Beyond the One China Policy," Heritage Foundation, Washington, 2005)

China's Anti-Secession Law, Taiwan's Constitutional Reform and Referenda, and the U.S.'s Taiwan Relations Act: Domestic Law and the Politics of Taiwan's Status (Conference on Challenges and Opportunities in Triangular Relations among the U.S., China and Taiwan, New York, 2005)

China, International Institutions and International Law: Toward Multilateralism? (Trilateral US-China-Japan Conference in Kanazawa, Japan, 2005)

China and the WTO: The Law and Politics of Access, Openness, Reform, Status, and Challenges of the Post-Accession Era (Conference on Asia in a Globalizing World, University of Illinois, 2005)

Market-Oriented Development Without Liberal Contestatory Democracy, and the Role of Law in Reform-Era China (Faculty of Law, National University of Singapore, 2004)

Constitutional Reform or Replacement, Referenda and the Question of Taiwan's International Status . . . and Implications for US-China-Taiwan Relations (Woodrow Wilson International Center for Scholars, Washington, D.C.; East Asia Institute, National University of Singapore, 2004)

China and International Institutions: The Middle Kingdom in a Post(?) -Westphalian World, (Conference on Globalization and its Implications for Economics and Security, Shanghai Institute for International Studies, Shanghai, 2004)

The Law and Politics of Taiwan's Contested International Status, and Costs to Taiwan, China and the International System (Asian Law Institute Conference, National University of Singapore, 2004)

Property Rights in China: Constitutional and Legal Reform, Economic Imperatives and Political Concerns (Carnegie Endowment for International Peace Conference on Political Reform in China, Washington, 2004)

SARS and the Response to SARS in China: Law and Politics, Internal and External (Temple University School of Law, International Law Institute Conference on SARS, 2004)

The Value of Values: The Democracy Factor in U.S. Policy toward Greater China (Institute for Taiwan Defense and Security Studies Conference, Taipei, 2003)

China's Changing Agenda and the WTO: International and Domestic Law and Politics, and the PRC's "Two-Level Game" (Harvard Law School, Conference in Honor of Arthur Rosett, 2003)

Federalism with Chinese Characteristics? (FPRI / Institute for International Relations (Taipei) Sino-American Conference on Democratization in Greater China and its Implications for Governance and Security, Philadelphia, 2003)

China and the WTO: Evolving Relationships Among International and Domestic Law and Politics (American Political Science Association Annual Meeting, Boston, 2002)

Cross-Strait Relations: Sustaining the Status Quo? (Bureau of Intelligence and Research, National Intelligence Council, U.S. Department of State, Conference on China's Strategic Vision, Washington, 2002)

- Lessons for Promoting Law Reform Abroad: The Russian Case and Comparisons to China, Conference on Russian Law Reform, University of Pennsylvania, Philadelphia, 2002)
- Human Rights, Civil Wrongs and International Politics: A Sinical= Look at the Use of U.S. Litigation to Address Abuses Abroad (Clifford Symposium on Tort Law and Social Policy, Chicago, 2002)
- China and International Law: Sovereignty as Shield, Sword and Plowshare (Symposium on the Rule of Law in China, William & Mary Law School, Williamsburg, Virginia 2002)
- Varieties of Sovereignty and the Cross-Strait Problem: The Weaknesses and Dangers of International Law as a Means for Structuring PRC-Taiwan Relations (Foreign Policy Research Institute Conference, Philadelphia, 2001)
- The Roles of Law in the PRC=s Strategy for Development without Democracy (China Law Center, Yale Law School, New Haven, 2001)
- China=s Conception of the State in International Law: Lessons from the Chinese Periphery (American Society of International Law, Annual Meeting, Washington, D.C., 2001)
- Humanitarian Intervention: Legal, Moral and Political Questions (Foreign Policy Research Institute Conference, Philadelphia, 2001)
- Globalization and its Discontents: The United States Role in East Asia and the Turn to Markets, Democracy and the Rule of Law (Salzburg Seminar, Salzburg, Austria, 2000)
- Chinese Perspectives on International Law: A Historical Analysis (American Society of International Law Annual Meeting, Washington, D.C., 2000)
- The Perils of Piecemeal and Partial Reform, the Genius of Incremental and Experimental Reform, and the Turn to Regulatory Uniformity: Assessing Developments in China=s Legal Regimes for Enterprise Autonomy and Foreign Investment (Institute for Corean American Studies Symposium, Philadelphia, 2000)
- Making the Market in China: Economic Objectives, Political Constraints, and the Legal Framework for Reform and Opening to the Outside World (University of Aveiro Center for Asian Studies, Aveiro, Portugal, 2000)
- Chasing the God of Wealth and Evading the Goddess of Democracy: Development, Democracy and Law in China (Ford Foundation / Middlebury College Conference, A Democracy and Development: Reexamining the Relationship, @ 1999; International Political Science Association XVIII World Congress, Quebec, 2000)
- Altered States: the International Law and Politics of Taiwan=s Status (University of

Pennsylvania Center for East Asian Studies Social Sciences Colloquium; Harvard University, Fairbank Center Taiwan Colloquium, 1999)

Avoiding the Risks of Relativism and the Temptations of Triumphalism: United States-East Asia Relations and the Question of Shared Values (Salzburg Seminar, Salzburg, Austria, 1999)

The International Legal Status of Taiwan: Problems and Prospects (Foreign Policy Research Institute, Philadelphia, 1999)

United States Foreign Legal Assistance, the Export of American Legal Models and the Support of Democracy, the Rule of Law and Economic Reform in China and the Former Soviet World (Institute for Advanced Studies, United Nations University, Tokyo, 1998)

The P.R.C.'s Population and Family Planning Policies: Legal Issues and Social Consequences in the Mainland and Abroad (International Conference on Social Changes in the P.R.C. and Taiwan, Socio-Cultural Research Center, Fu Jen University, Taiwan, 1998)

Law, Institutions and Sovereignty in the P.R.C.: Lessons of Hong Kong's Protracted Return to China (East Asian Legal Studies, Harvard Law School; Center for Chinese Legal Studies, Columbia Law School, 1998)

Hong Kong and the Politics of Sovereignty at International Law: Understanding the Sino-British Joint Declaration and Assessing the S.A.R.'s Prospects (Fletcher School of Law and Diplomacy, 1998)

Law and Human Rights in China: Domestic Factors and International Strategies in the Face of A Strong Sovereignty, @ ACulturalist, @ and ADevelopmentalist@ Challenges (American Society of International Law Annual Meeting, 1998)

China's Illiberal Constitutionalism: Borrowing Techniques and Creating Power (University of Pennsylvania Law School Journal of Constitutional Law symposium on constitutional borrowings, 1998)

The Political Conflict over Law, Institutions, and the Role of Law in Hong Kong's Transition to Chinese Rule (University of Pennsylvania Journal of International Economic Law Symposium, 1997)

Conceptualizing Hong Kong's Crisis, 1979-1997: The Clash of Visions of Legal and Political Authority (Hong Kong University, 1996)

Borrowed Place, Out of Time: Democracy, Identity and Sovereignty in Hong Kong and the Return to Chinese Rule (Northeast Political Science Association, Annual Meeting, 1996)

Hong Kong's Crisis, 1997 and Beyond: Competing Visions of Law and Political Institutions, and the Return to Chinese Rule (Center for East Asian Studies, University of Pennsylvania,

1996)

Legalization and Its Discontents: An Overview of the Aims and Dilemmas of Legal Reform in Contemporary China (Association for Asian Studies, National Meeting, 1994; East Asian Legal Studies, Harvard Law School, 1992)

Other Presentations:

Assessing the Linkage between Legal Institutions and Market-Oriented and Internationally Open Economic Development (Harvard College China-India Development and Relations Symposium, New York, 2007)

The Great Wall and the Open Door: Legal and Political Issues in Doing Business with China (co-sponsored by Cozen O'Connor and the World Affairs Council of Philadelphia, May 2007)

Law and Development, but not Democracy, in China (National Committee on U.S.-China Relations "National Town Hall" Buffalo, May 2007)

China's New Company and Securities Laws: Implications for Foreign Investors and Traders (Meet China Business Symposium, Philadelphia, 2007)

China's Evolving Engagement with the World: A Historical Perspective (Foreign Policy Research Institute History Institute on China for Teachers, Kenosha, Wisconsin, October 2006)

Legal Issues in Doing Business in China (Marsh Insurance-sponsored conference, Philadelphia, 2006)

China's Evolving Engagement with the World: A Historical Perspective (Foreign Policy Research Institute History Institute on China for Teachers, Kenosha, Wisconsin, 2006)

What Lies Ahead for China and the United States (World Affairs Council, Valley Forge, Pennsylvania, 2006)

United States Legal Means for Addressing Chinese Human Rights, and China's Strategy for Engaging the International Human Rights Regime (LaSalle University, Diplomat-in-Residence / Rise of China Series; revised version at Forum for American / Chinese Exchange at Stanford University, 2006)

Legal Transplants and Economic Reform in China: Evolving and "Auditioning," not Revolution or Chaos—A Comment on Assessments of Recent Developments (Columbia Law School / Asia Foundation Conference in Honor of Stanley Lubman, 2006)

U.S. Rule of Law Programs and the Impact of U.S. Legal Models in China (Timothy Gelatt Memorial Conference, New York University Law School, 2006)

The International Legal Problem of Taiwan's Status (Soochow University Law School, Taipei, Taiwan, 2005)

Assessing China's Evolving Approach to Private International Law (Temple Law School symposium / conference for PRC scholars, 2005)

Law and Change in China: Lessons from Four Cases of Contracts, Corruption and Crime (World Affairs Council, Philadelphia, 2005)

Protecting Intellectual Property Rights in China: A Mixed Picture (Foreign Policy Research Institute, Philadelphia, 2004)

Taiwan's Intractable and Inescapable Dilemma: Cross-Strait Economic Integration and its Economic and Political Implications (Formosa Foundation Conference, Taipei, 2004)

Corporate Governance: Lessons from Comparative Law for China's Reforms (World Bank and PRC State Council Development and Reform Center Conference on Company Law Reform, Beijing, 2004)

Intellectual Property Rights Protection in China: Law Reform, Institutional Choice, Education Efforts, and Lessons from U.S. Comparisons (American International Education Foundation / Shanghai Intellectual Property Office conference, Shanghai, 2004)

A New or Revised Constitution for the ROC: Implications for Taiwan's Status and U.S.-China-Taiwan Relations (Woodrow Wilson International Center for Scholars, Washington, D.C., 2004)

Property Rights in China: How Much Reform, and How Much Reform is Enough? (U.S. Congressional-Executive Commission on China, Washington, 2004)

Taiwan's Presidential Election: Legal Challenges at Home and the Question of Status Abroad (Foreign Policy Research Institute Symposium on Taiwan Elections, Philadelphia, 2004)

TRIPS and Pharmaceuticals: The WTO, the Power of Markets, and Lessons from the Chinese Experience (University of Pennsylvania, Journal of International Economic Law symposium, 2004)

Taiwan's Referendum and the PRC's Reaction: Sovereignty, International Law and the Status Quo (United States-China Economic and Security Review Commission testimony, Washington, 2004)

Constitutionalism in China: Building Power, Limiting Power and Useful Symbols (Princeton University, East Asian Studies Symposium, 2003)

Transforming Legal Culture in Asia: What Does it Mean? Is it Feasible or Desirable? (Salzburg Seminar, Salzburg, Austria, 2002)

Three Persistent Factors in Cross-Strait Relations: Economic Integration, the Sovereignty Problem and the Role of the United States (Foreign Policy Research Institute, Seminar on Taiwan Two Years After Chen Shui-bian=s Election to the Presidency, Philadelphia, 2002)

The Rule of Law and the Roles of Lawyers in China: Implications for Foreign Lawyers After China=s Accession to the WTO (Asian Pacific American Law Students Association Conference, University of Pennsylvania Law School, 2002)

U.S.-PRC Relations: Economics, Politics and Law, (Peking University Philadelphia Alumni Association, Philadelphia, 2002)

To Russia and China with Law: The Aims and Limits of U.S. Efforts to Promote Legal Reform (Foreign Policy Research Institute, Philadelphia, 2001)

May Days, June Bugs, and October Revolutions: Evaluating China's WTO Accession, (Conference on China's WTO Accession, ABA Section of International Law and Practice, University of Pennsylvania Law School, and Foreign Policy Research Institute, Philadelphia, 2001)

The Political Economy of Contemporary China; Peripheral China: Taiwan and Hong Kong (Global Immersion Program, Wharton School, University of Pennsylvania, 2001, 2002, 2003; Organization Dynamics Program, University of Pennsylvania, 2001, 2003)

Of Bureaucrats and Browsers in Beijing: How Administrative Law Reform, WTO Accession and the Growth of the Internet are Shaping the Next Stage of Legal and Political Change in China (Foreign Policy Research Institute, 2000)

The United States Rule of Law Initiative in China: The Clinton State Department=s Project in Comparative Perspective (Harvard Law School, 2000)

The Dilemma of Partial Reform in China: How Incomplete Market-Supporting Legal Reforms May Have Made More Radical Reform Indispensable and Nearly Impossible (Wharton Asian Financial Conference, 2000)

Why the Taiwan Relations Act?: Political Imperatives and International and Domestic Legal Issues (Foreign Policy Research Institute Conference, AThe Taiwan Relations Act: Durable Agreement or Fraying Framework?@ Philadelphia, 1999)

United States and East Asian Universities and their Role in a Global Society: The Pressures for Similarity and the Possibilities of Culturally Distinctiveness (Salzburg Seminar, Salzburg, Austria, 1998)

Hong Kong: Yesterday, Today and Tomorrow (University of Pennsylvania Faculty-Alumni Panel, 1998)

China, Hong Kong and Taiwan: Interaction and Integration in the Greater China Triangle (World Affairs Council Education Program, Philadelphia, 1998)

American Separation of Powers Law and the American Approach to International Law (Eisenhower Foundation program for Chinese fellows, Philadelphia, 1997)

One Country, Two Systems: Might Confidence in Hong Kong=s Economic Future Reflect a Failure to Perceive Potential Crises? (Asia Foundation and Tamkang University International Conference on Relations Among Taiwan, Hong Kong and Mainland China After 1997, Taipei, Taiwan, 1997)

Cooking the Rice Without Cooking the Goose: Legal Issues in the Hong Kong Handover (The China Institute, New York, 1997)

Hong Kong=s Return to Chinese Rule: Legal Issues and Implications for Politics and the Economy (Rotary Club of Philadelphia, 1997)

Thirty-Two Days to What?: Hong Kong=s Return to Chinese Rule (Princeton University Faculty-Alumni Panel, 1997)

Countdown Hong Kong: A Forum for Journalists (The Freedom Forum and the China Institute, New York, 1997)

A ASinical@ Look at Issues of Peace, Stability, Judicial Reform and the Development of Legal and Political Institutions in the Philippines: China=s Impact and Lessons from the Chinese Case (Asia Society Conference, Philadelphia, 1996)

The Political Challenges of Deepening Economic Integration in East Asia (Salzburg Seminar, Salzburg, Austria, 1995)

An Introduction to American Judicial Institutions; A Comparison of American and Chinese AEconomic Law@ (in Mandarin, to a visiting delegation of Chinese lawyers, managers, and officials, Philadelphia, 1995)

FELLOWSHIPS AND AWARDS:

Senior Fellow, Salzburg Seminar (Asian Law Session), 2002

Fellow, Freeman Foundation Symposium, Salzburg Seminar (AEast Asia-United States: A Search for Common Values@), 1998, 1999, 2000

University of Pennsylvania Center for East Asian Studies, U.S. Department of Education

National Resource Center Course Development Grant (for two linked courses: Public International Law, and China and International Law), 1999

University of Pennsylvania Center for East Asian Studies, U.S. Department of Education National Resource Center Conference Grant (for paper presentations at American Society of International Law Annual Meeting, Asian Law Institute Annual Conference, and Carnegie Endowment Conference), 1998, 2004

University of Pennsylvania Research Foundation (for field research on Hong Kong's transition to Chinese rule, legal reform in China), 1996-97

Presidential Fellow, Salzburg Seminar (A United States Foreign Policy in Asia: Adapting to Change), 1995

Dissertation Fellowship, Institute for the Study of World Politics, 1990-91

NCR Foundation Fellowship, Harvard University Council on East Asian Studies (for dissertation field research in China), 1990

Kukin Scholar, Harvard Academy for International and Area Studies, Harvard University (for research combining regional studies and a social science discipline), 1986-88

Sears Prize, Harvard Law School (awarded to the two students receiving the highest averages in the work of the second year of law school), 1986

Graduate School of Arts and Sciences Fellow, Harvard University (awarded for academic merit to ten students, throughout the Graduate School of Arts and Sciences, who have completed departmental Ph.D. qualifying exams), 1986-87

Foreign Language and Area Studies Fellowship, Harvard University (for study at Harvard Law School), 1989-90; (for study at the Chinese Language School, Middlebury College), 1985

OTHER EXPERIENCE / PROFESSIONAL ACTIVITIES / SERVICE:

Consultant, expert witness on issues of P.R.C. and Hong Kong law and government policies, in litigation in federal and state courts, arbitration proceedings, and proceedings before federal agencies, 1996-

Senior Fellow, Foreign Policy Research Institute, 1999-; Director of Asia Programs, 2002- (Conferences organized include: Varieties of Sovereignty and Cross-Strait Relations (2001); Asia's Strategic Landscape (2003); Democratization (and its Limits) in Greater China: Implications for Governance and Foreign Policy (2003); Party Politics and Foreign Policy in East Asia (2005); Constitutional Change and Foreign Policy in East Asia (2006)

Member, National Committee on United States-China Relations, 2001-

American Society of Comparative Law, Board of Directors, 1996-

Associate Member, International Academy of Comparative Law, 2006-

Board of Editors, ORBIS, 2004-

Editorial Advisory Board, JOURNAL OF CONTEMPORARY CHINA, 2007-

Participant, Tsinghua University / Temple University Law School Program on Property Law Reform in the PRC, 2002; Legal Aspects of PRC WTO Accession, 2002; Tort Law Reform in the PRC, 2003

Vice Chair, Pacific Rim Interest Group, American Society of International Law, 2003-

Consultant, Asia Foundation ARule of Law® in China Project on Administrative Law, 2000

Member, Advisory Council, International Council on Intellectual Property Rights (China), American International Education Foundation, 2004-

Board of Directors, American Association of Chinese Studies, 2007-

Fellow, Institute for Corean-American Studies, 1999-

Board of Advisors, Russian American Institute for Law and Economics, 2000-2005

Consultant, Russian American Institute for Law and Economics (report on U.S. legal advice and assistance programs in Russia and elsewhere), 2000-

Council for International Educational Exchange, Fulbright Senior Scholars Awards, peer review awards panel (China, Taiwan, Hong Kong), 2000-2002; distinguished chair awards panel (law), 2003-

University Grants Committee (Hong Kong), Research Grants Council, peer reviewer, 1998- ; panel member (humanities and social sciences), 2007-

External Examiner, Administrative and Constitutional Law, City University of Hong Kong, 2005-2008

Academic Advisory Board, Tsinghua University / Temple University School of Law Masters of Law Program in Beijing, 1997-

University of Pennsylvania Law School: International Studies / Graduate Program Committee 1994-present, Chair, 1997-98, 1999-2001, 2003-2005; University of Pennsylvania Journal of International Economic Law, Faculty Adviser, 1994-2001, 2003-2005; Dean Search

Committee, 1998-99; Appointments Committee, 1998-99, 2000-02, 2006-07 Chair (Entry Level) 2001-02 (Lateral) 2006-07; Tenure and Promotions Committee, 2002-03, 2005-06; Chair, Chinese Language Law Discussion Group, 1994-97, 1999, 2003-2006

University of Pennsylvania: Center for East Asia Studies Executive Committee, 1999-2001, 2005-2007; Coordinator, Center for East Asian Studies Social Science Colloquium Series, 1999-2001; Wharton School Lauder Program (M.B.A.-M.A. in Regional Studies degree) Graduate Group, 2001-present, Thesis Prize Committee, 2000, 2001; History Department Graduate Group, 2001-present; East Asian Social Sciences Search Committee, 2000-2001 (for junior faculty position in Arts and Sciences); University International Program Committee, 2005-2006

National Rapporteur (U.S.), Fifteenth International Congress of Comparative Law (Section: AMixed Systems and Systems in Transition@), 1998

National Security Education Program, Graduate International Fellowships Merit Review Panel, 1999

Lecturer, programs on American, comparative, and international law for Chinese lawyers, 1995-96

Ad Hoc Study Group on Human Rights in China (report and brief on Tiananmen Incident of June, 1989, and its aftermath, presented jointly with the International League for Human Rights to the principal human rights subcommission of the United Nations), 1989

Harvard International Law Journal, Articles Editor (including special issue on legal reforms in China) 1987

Harvard University, Teaching Fellow, 1985-1992

Courses: The Chinese Cultural Revolution; Government and Politics of China; China After Mao: A New Revolution? (Institute of Politics seminar, Kennedy School of Government); International Organizations; Modern Political Ideologies

Peking University, Department of International Politics, Visiting Researcher, 1990, 1991

Chinese University of Hong Kong, Universities Service Centre, Research Affiliate, 1989, 1991

Summer Associate, Paul, Weiss, Rifkind, Wharton & Garrison (New York, 1986), Baker & McKenzie (New York, 1984), Townley & Updike (New York, 1983) (litigation; issues of Chinese law, Taiwanese law, public international law, and proceedings before Iranian Assets Claims Tribunal)

Matsushita Electric Industrial Corporation, Osaka, Japan (program for foreign students of business and economics), 1981

LANGUAGES: Chinese (Mandarin), French

Ehibit B

- i. Complaint filed in this action by Plaintiff Ocean Line Holding
- ii. Answer and Counterclaim filed by Defendant Sinochart
- iii. Rule 7.1 Statement filed by Sinochart
- iv. Sinochart's Notice of Motion to Vacate Ocean Line Holdings' Order of Attachment
- v. Declaration of Song Dihung submitted by Sinochart in support of Motion to Vacate (with exhibits)
- vi. Declaration of Xing Nai Qun submitted by Sinochart in support of Motion to Vacate (with exhibits)
- vii. Declaration of Patrick F. Lennon submitted by Sinochart in support of Motion to Vacate (with exhibits)
- viii. Memorandum of Law in Support of Motion to Vacate Maritime Attachment filed by Sinochart
- ix. Copy of the decision in *Trans Chemical v. China National Machinery Import and Export Corporation* from the U.S. District court for the Southern District of Texas
- x. A copy of the U.S. Supreme Court decision in *Dole Food Company v. Patrickson*
- xi. Copy of relevant section from FSIA relied upon by Sinochart
- xii. Additional company search documents regarding Sinochart and its parent company Sinotrans obtained from the company Registry (SAIC)
- xiii. Copy of pages from Website.
- xiv. Other reference materials, including cases and other authorities, in their original Chinese language version and/or translated English versions.